

REMARKS

The specification has been amended to delete the hyperlink on page 7. Claim 28 has been amended to recite the method steps from claim 1. In addition, claims 28 and 30 have been amended to recite that the fucose content/galactose content ratio is between 0.5 and 0.35, the support for which can be found, for example, in the published application, Pub. No. 2007/0015239 at paragraphs [0022] and [0054], and in the working examples. No new matter has been added. Thus, entry of the amendment is respectfully requested.

Oath/Declaration:

On March 4, 2009, Applicants filed a supplemental declaration in compliance with 37 C.F.R. 1.67(a). Accordingly, withdrawal of the objection is requested.

Specification:

Applicants have amended the specification to remove the hyperlink located on page 7. Thus, withdrawal of the objection is requested.

Claim Objections:

Applicants have amended claim 28 to recite the method steps from claim 1, which was withdrawn. Thus, claim 28 is no longer dependent upon a withdrawn claim. Accordingly, withdrawal of the objection is requested.

35 U.S.C. § 102:

The Patent Office has taken the position that claims 28-32 are anticipated by Shinkawa et al. as evidenced by Cartron et al. because the references disclose, *inter alia*, KM3065 antibodies which have high effector activity [e.g., higher antibody dependent cellular cytotoxicity (ADCC)] and a fucose content/galactose content ratio of less than 0.6.

In view of the amendments to the claims, Applicants respectfully submit that claims 28-32 are not anticipated by Shinkawa et al. or Cartron et al. because neither reference discloses an antibody having a fucose content/galactose content

ratio between 0.5 and 0.35. Instead, the fucose content/galactose content ratio for antibody anti-CD20 KM3065 disclosed in *Shinkawa et al.* is 0.258, as calculated by the Examiner using the data from Table I. In addition, contrary to the Applicants' discovery, *Shinkawa et al.* concludes at page 3471 that "[i]n this report, we could not find any correlation between the content of Gal and ADCC." Likewise, *Cartron et al.* do not disclose an antibody or a composition comprising an antibody having a glycan structure with a fucose content/galactose content ratio between 0.5 and 0.35. Accordingly, withdrawal of the rejection is requested.

As it is believed that all of the rejections set forth in the Official Action have been fully met, favorable reconsideration and allowance are earnestly solicited.

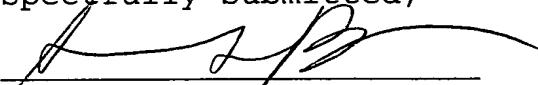
If, however, for any reason the Examiner does not believe that such action can be taken at this time, it is respectfully requested that she telephone Applicants' attorney at (908) 654-5000 in order to overcome any additional objections which she might have.

If there are any additional charges in connection with this requested amendment, the Examiner is authorized to charge Deposit Account No. 12-1095 therefor.

Dated: June 8, 2009

Respectfully submitted,

By

  
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